

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
In Re: Methyl Tertiary Butyl Ether
("MTBE") Products Liability Litigation

Master File No. 1:00-1898
MDL No. 1358 (SAS)
M21-88

----- X
This Document Relates To:
----- X

*City of Riverside v. Atlantic Richfield Co.,
et al;* Case No. 04 Civ. 4969

*California-American Water Co., v. Atlantic
Richfield Co., et al;* Case No. 04 Civ. 4974
----- X

**STIPULATION AND ORDER OF DISMISSAL
WITH PREJUDICE UNDER FED. R. CIV. P. 41**

The Plaintiffs City of Riverside and California-American Water Co. and Defendant, Circle K Stores, Inc. ("Defendant"), have advised the Court that they have resolved the matters between them and agree to the entry of this Stipulated Order of Dismissal With Prejudice of the claims against Defendant, as indicated by the signatures of the respective counsel below. This Court finds that this Stipulated Order of Dismissal With Prejudice should be entered, with the findings included below.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. This Court has jurisdiction over the Parties to the Stipulation and over the subject matter of this action. The Parties to this Stipulation have advised the Court of their resolution of the matters between them and their agreement to enter this Stipulated Order of Dismissal With Prejudice.


2. The parties to this Stipulation consent to the dismissal of this action as to Settling Defendant only, including all claims and counterclaims, with prejudice.
3. Each party shall bear its own cost and attorneys' fees.

SO ORDERED:

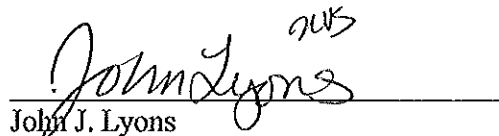
Date: _____

HONORABLE SHIRA A. SCHEINDLIN
UNITED STATE DISTRICT JUDGE

AGREED TO AND ACCEPTED BY:



Celeste A. Evangelisti, Esq.
BARON & BUDD, P.C.
Counsel for Plaintiffs



John J. Lyons
LATHAM & WATKINS LLP
Counsel for Settling Defendant
Circle K Stores, Inc.